

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

UNITED STATES OF AMERICA,

NO. CR 05-234 RSL

Plaintiff,

v.

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

RODGER JEROME NELSON,

Defendant.

An initial hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on August 29, 2012. The United States was represented by Assistant United States Attorney Steven Masada, and the defendant by Lee Covell.

The defendant had been charged and convicted of Conspiracy to Commit Bank Fraud and Mail Fraud; Fraud and Related Activity in Connection with Access Devices, and Aggravated Identity Theft. On or about October 28, 2005, defendant was sentenced by the Honorable Robert S. Lasnik to a term of 37 months in custody on the fraud counts and a mandatory 24 month sentence to be served consecutively on the aggravated identity theft charge, to be followed by five years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special

1 conditions imposed included, but were not limited to, participation in a substance abuse
2 program.

3 In a Petition for Warrant or Summons, dated August 7, 2012, U.S. Probation Officer
4 Felix Calvillo, Jr. asserted the following violation by defendant of the conditions of his
5 supervised release:

- 6 1. Using methamphetamine on or about 05/14/12 and 05/18/12, in violation of the
7 general condition of supervision to refrain from unlawful use of a controlled
8 substance and standard condition number 7.

9 The defendant was advised of his rights and admitted alleged violation 1.

10 I therefore recommend that the Court find the defendant to have violated the terms and
11 conditions of his supervised release as to violation 1, and that the Court conduct a hearing
12 limited to disposition. A disposition hearing on these violations has been set before the
13 Honorable Robert S. Lasnik on September 5, 2012 at 11 a.m.

14 Pending a final determination by the Court, the defendant has been released, subject to
15 supervision.

16 DATED this 29th day of August, 2012.

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18 JAMES P. DONOHUE
19 United States Magistrate Judge

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22 cc: District Judge: Honorable Robert S. Lasnik
23 AUSA: Steven Masada
24 Defendant's attorney: Lee Covell
25 Probation officer: Felix Cavillo, Jr.
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